IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. A. No. 216-SB of 1993

DATE OF DECISION : 14.09.2006

Assistant Collector of Customs, Custom Division, Amritsar

.... APPELLANT

Versus

Smt. Anisha

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. D.D. Sharma, Advocate,
for the appellant.

* * *

Assistant Collector of Customs, Customs Division, Amritsar has filed this appeal against the judgment dated 23.2.1993, passed by Chief Judicial Magistrate, Amritsar, whereby in the complaint filed by the petitioner, the respondent has been convicted under Section 135 of the Customs Act, 1962 and sentenced her to imprisonment for the period already undergone by her during trial. She has also been sentenced to pay a fine of Rs. 4,000/-. The appellant has filed this appeal for enhancement of the sentence.

2. This appeal was filed in the year 1993, but the respondent has not been served so far, for want of correct address. On May 8, 2006, two months time was granted to the appellant for supplying the correct address of the respondent. It was specifically ordered that in case of failure of the appellant to do so, the appeal shall be deemed to be dismissed. Thereafter, more than four months have passed, but the correct address of the respondent has not been furnished by the appellant. Even otherwise, I do not find any ground to enhance the sentence upon the respondent, who is a lady and has already undergone from 24.3.1992 to 1.4.1992, during trial. She has also been sentenced to pay a fine of Rs. 4,000/-.

3. Dismissed.

September 14, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**